

## Appendix D

Steven Kersting



*Blue-winged warbler*

## Finding of No Significant Impact

- Finding of No Significant Impact (FONSI)



## Introduction

The U.S. Fish and Wildlife Service (Service; we, our) proposes to protect and manage shrubland and young forest habitat in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York through the establishment of Great Thicket National Wildlife Refuge (NWR). This action is part of a larger, collaborative conservation partnership effort to help reverse the dramatic decline of species dependent on these habitat types. A draft and final environmental assessment (EA) were prepared to inform the public of the possible environmental consequences of implementing a Land Protection Plan (LPP) to establish the refuge. A description of the alternatives, the rationale for selecting the preferred alternative, the environmental effects of the preferred alternative, coordination with others, and public involvement during the planning process in compliance with the National Environmental Policy Act of 1969 (NEPA), are summarized below. Supporting information can be found in the final LPP and EA for the establishment of Great Thicket NWR.

## Alternatives

In developing the final LPP and EA for Great Thicket NWR, we evaluated the two alternatives described below. These alternatives represent different approaches for the Service to contribute to conserving shrubland and young forest habitats in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York.

**Alternative A—No Action (No Refuge Established):** The No Action alternative, as required by NEPA, serves as a baseline for comparing alternative B. Alternative A represents no change from our current conservation efforts in this landscape.

Under this alternative, there would be no additional Service acquisition authority to augment collaborative partnership efforts. However, the Service would continue to support partners' and private landowners' efforts to protect and manage shrubland habitat throughout the Northeast, primarily through the Partners for Fish and Wildlife program.

**Alternative B—Service-preferred Alternative (Refuge Established):** This alternative would result in the establishment of Great Thicket NWR with authority to acquire up to 15,000 acres of fee title or conservation easements from willing sellers. Acquisition would occur within 10 Refuge Acquisition Focus Areas (RAFAs) encompassing approximately 257,639 acres across six Northeast states. Six criteria for selecting and prioritizing parcels for acquisition from willing sellers are detailed in chapter 2 of the final LPP and EA. This approach allows the flexibility to complement partners' conservation efforts over time, as needed, in areas most critical to landscape connectivity.

## Rationale for Selecting Alternative B

We have selected alternative B for implementation, as represented in the final LPP and EA, because it best addresses a critical need for additional secured acreage and management capability to meet shrubland-dependent wildlife population and habitat goals within the Northeast Region. These species are in precipitous decline across the Northeast and land protection and management is identified for these species in respective State Wildlife Action Plans, in interagency migratory bird plans, in federally listed species recovery plans, and in other individual species conservation plans. Through the establishment of a 15,000-acre refuge, we will increase our contribution, as part of a larger partnership effort, to help stem the decline of shrubland-dependent wildlife in the Northeast. It is envisioned that the proposed refuge will make major contributions towards achieving the following:

- Population goals for declining high priority migratory bird species dependent upon shrublands.
- Habitat and population goals identified in the rangewide New England Cottontail Conservation Strategy (NEC Conservation Strategy).
- Recovery goals for several federally threatened or endangered species that have overlapping shrubland habitat needs.
- Population goals for numerous shrubland-dependent Species of Greatest Conservation Need in State Wildlife Action Plans.

In addition, connectivity between existing conservation lands will be enhanced, opportunities for compatible wildlife-dependent recreational activities will be pursued, and any cultural resources or wetlands found within the refuge will be afforded maximum protection by the Service.

A Conceptual Management Plan and interim compatibility determinations are also included in the final LPP to guide the establishment, acquisition, and management of Great Thicket NWR. Management of the refuge will continue under the guidance in the conceptual plan until the development of a Comprehensive Conservation Plan and/or step-down management plan(s) (e.g., Habitat Management Plan) for the refuge.

Our decision to select alternative B was made after evaluating the predicted environmental effects, and after reviewing the partner and public comments that we received on the draft plan during the public comment period.

## **Environmental Effects**

We have reviewed the predicted beneficial and adverse effects with implementing alternative B as described in chapter 4 of the final LPP and EA. Effects on the biological, socio-economic, cultural, and physical environments are detailed. None of the adverse impacts are significant, and most are short-term, limited in area, and do not result in a cumulative impact. Further, many beneficial impacts are expected.

Establishing the refuge will not only directly benefit shrubland-dependent species in decline, but will protect, restore, and enhance healthy soil biota, native plants, wetlands, and other native resident populations of mammals, fish, reptiles, amphibians, and invertebrates such as pollinators. Cultural resources will be offered increased protection. Cumulative beneficial impacts on adjacent protected lands will also accrue from the presence of a refuge by reducing habitat fragmentation and protecting habitat connectivity across the landscape.

In addition, increased public hunting, wildlife observation/photography, and other compatible public use opportunities will likely become available.

## **Coordination and Public Involvement**

Chapter 5 in the final LPP and EA details the consultation and coordination with resource experts, and the public and elected official involvement, that occurred during development of the draft and final plans. Examples of those involved in the process include:

- Fish and wildlife agency directors and staff from each of the six states.
- NEC Executive Committee.
- NEC Technical Committee.
- NEC Land Management Teams for each of the six states (e.g., team members represent Federal and state agencies, conservation organizations, and university researchers).

In January 2016, we released the draft LPP and EA for 45 days of public review and comment from January 19 to March 4, 2016. In response to several requests, we extended the public comment period through April 3, 2016. In total, the comment period was 75 days in length.

During the comment period, we held information sessions upon request. Two were held in Maine, three in New Hampshire, two in Massachusetts, two in New York, one in Connecticut and six in Rhode Island. Audiences included sportsmen's groups, land trusts, and town and county officials. All six congressional delegations were contacted initially via email, and follow-up phone calls or in-person visits occurred with most district staff offices.

After the comment period ended, we compiled all of the comments we received, including all letters, e-mails, telephone calls, and comments submitted at information sessions. In total, we received 6,064 separate written responses (some letters had multiple signatures), and 5 telephone calls. Of the 6,064 written comments, 5,523 were individual form letters of support. We also received one petition of support signed by approximately 2,455 individuals. Appendix C in the final LPP and EA provides a summary of the comments and our responses to them. It also identifies what changes were made between the draft and final LPP and EA. Our evaluation of these comments informed the final recommendation. The following three points detail the most substantive changes made between the draft and final documents:

- We modified the Plymouth RAFA boundary in Massachusetts to better complement conservation work being done by the Massachusetts Division of Fisheries and Wildlife (MDFW). The boundary was reduced from 43,035 acres to 3,698 acres and will exactly match the critical habitat area designated in 1980 for the federally listed northern red-bellied cooter. Our target for refuge acquisition will remain at 500 acres. We believe this revised focus area will still allow us to support cooter recovery efforts, as well as assist with shrubland and young forest management and protection in the Plymouth area. We will continue to coordinate with MDFW on strategies for land protection, habitat management, and public access within the Plymouth RAFA.
- We modified the Northern Housatonic RAFA in New York in response to concerns from Dutchess County and town of Dover representatives. We excluded lands commercially zoned that lie west of Route 22, and added acres east of Route 22 and south of Route 55. The revised Northern Housatonic RAFA is now 33,883 acres, compared with the original size of 35,727. Our target acreage for refuge acquisition will remain at 2,000 acres.
- We added a sixth criterion in chapter 2 under alternative B that will be used to evaluate and guide acquisition decisions on a parcel-by-parcel basis as willing-seller opportunities present themselves. This additional criterion is called “site feasibility” and was added in response to comments from local communities that were concerned about the Service acquiring developed lands or lands that are slated for development as part of the planned growth of these communities. Using this criteria, we will avoid acquisition of commercially zoned properties and approved residential subdivisions due to the higher cost per acre of those properties, and because of the challenges we might face in managing habitats over the long term that might potentially be surrounded by, or adjacent to, development.

## Findings

We find that implementing alternative B will not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of Section 102(2)(c) of NEPA (as amended). As such, an environmental impact statement is not required.

This determination is based on the listed factors (40 CFR 1508.27), as addressed in chapter 4 of the final LPP and EA for the establishment of Great Thicket NWR.

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the human environment.
2. The actions will not have a significant effect on public health and safety.
3. The project will not significantly affect any unique characteristics of the geographic area, such as proximity to historical or cultural resources, wild and scenic rivers, or ecologically critical areas.
4. The effects on the quality of the human environment are not likely to be highly controversial.
5. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment

6. The actions will not establish a precedent for future actions with significant effects nor do they represent a decision in principle about a future consideration.
7. There will be no cumulatively significant impacts on the environment. Cumulative impacts have been analyzed with consideration of other similar activities on adjacent lands, in past action, and in foreseeable future actions.
8. The actions will not significantly affect any site listed in, or eligible for listing in, the National Register of Historic Places, nor will they cause loss or destruction of significant scientific, cultural, or historic resources.
9. The actions are not likely to adversely affect threatened or endangered species, or their habitats.
10. The actions will not lead to a violation of Federal, state, or local laws imposed for the protection of the environment.

### **Document Availability**

The draft and final documents are available on-line at: <https://www.fws.gov/northeast/refuges/planning/lpp/greatthicketLPP.html>

Hard copies of the final LPP and EA can be obtained by contacting:

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